

FISCAL NOTE

HB 2863 – SB 3216

March 16, 2006

SUMMARY OF BILL: Prohibits age discrimination against teachers over 40 years of age in employment and compensation decisions by a board of education or director of schools. Removes the provision that provides for a teacher's tenure status to end following the teacher's 65th birthday.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures – Not Significant

Assumptions:

- LEAs would not require additional resources to enforce the provisions of this bill.
- The Tennessee Human Rights Act (T.C.A. 4-21-401(a)) states that it is a discriminatory practice for an employer to fail or refuse to hire or discharge any person or otherwise to discriminate against an individual with respect to compensation, terms, conditions or privileges of employment because of such individual's race, creed, color, religion, sex, **age** or national origin.
- The provisions of the Tennessee Human Rights Act are the substantial equivalent of the federal statute, The Age Discrimination in Employment Act of 1967. The ADEA applies to employers with 20 or more employees, including state and local governments. The act also applies to employment agencies and labor organizations, as well as to the federal government.
- T.C.A. 49-5-507 is currently in conflict with state and federal laws prohibiting age discrimination in employment.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director